



THE NAVAJO NATION

Telecommunications Regulatory Commission *Office Of The President and Vice President*

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Joe Shirley, Jr.
President

May 31, 2007

Bennie Shelly
Vice President

Ernest Franklin, Jr.
Executive Director

The Honorable Deborah Taylor Tate
Chairman
Federal-State Joint Board on Universal Service
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Joint Board Chairman Tate

Thomacita White
Administrative Assistant

I write to relay the Navajo Nation's opposition to the proposed cap on the USF. First of all, the Navajo Nation thanks you and the members of the Federal State Joint Board on Universal Services for guiding the development of telecommunication services. Your commitment has been extremely important to the economic sustainability of rural America and Indian Country.

Steve L. Grey
Chairperson

Marlene A. Lynch
Vice Chairperson

The growth of the Navajo Nation depends on the wireless telecommunication services provided by the various telecommunication carriers. A cap on wireless technology deployment will impact the tribe in a negative way. The 27,000 square miles of Navajo Nation lands cannot, in the near future, be hardwired to accommodate the growth of its communities. Our schools need wireless distance learning capabilities, our hospitals need telehealth capabilities, the safety of our communities requires E911 capabilities, the sustainability of our economic and community developments need geographical information systems, and we need to maintain an E-government environment to consistently keep up with the growth of our people. Therefore, wireless technology must be implemented without restrictions.

E. Tony Davis
Secretary/Treasurer

Norbert Nez
Commissioner

We currently have limited WiFi systems, two-way satellite systems, point to point microwave systems, and point to multi-point communications systems to assist in our current growth. A majority of these systems were developed and sustained with the Federal Universal Service Fund. The Navajo Nation has moved to a wireless system because of the lengthy process of obtaining rights of ways on federally restricted lands. The development of wireless technology has provided us the ability to overcome the bureaucracy in obtaining rights of way and begin to provide vital services to our people.

Bobby Begaye
Commissioner

Steve Nez
Commissioner

As mentioned, a cap on the financial resources used to enhance the wireless infrastructure will severely impact the Navajo Nation in many ways. The Incumbent Local Exchange Carriers for the Navajo Nation are hampered by the ability to acquire new rights-of-way and therefore can not expand to meet the needs of Navajo communities. Although, this could be a problem, it can be overcome if the local ILECs seek a change. Placing a cap on the wireless providers will limit competition, which in turn will affect the efforts of the ILECs to expand its telecommunication infrastructure on the Navajo Nation. We urge that you reconsider the use of a-cap to address the situation at hand, because we have first hand experience that temporary actions can become long term permanent policies.

Telecommunications Regulatory Commission
Office Of The President and Vice President

Joe Shirley, Jr.
President

Bennie Shelly,
Vice President

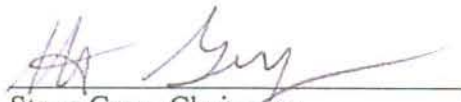
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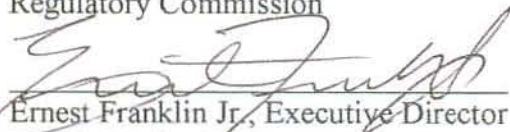
Ernest Franklin, Jr.
Executive Director

Instead, we ask for better accountability from competitive ETCs on how funds are utilized for the build-out of advanced services in rural regions.

In conclusion, we urge you to reconsider the need to implement an interim cap and that you explore other ways of controlling fund growth without impeding the source of investment in our rural infrastructure that the Navajo Nation so desperately needs.

Sincerely,


Steve Grey, Chairman
Navajo Nation Telecommunication
Regulatory Commission


Ernest Franklin Jr., Executive Director
Navajo Nation Telecommunication
Regulatory Commission

Cc: Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Lisa Polak Edgar
Commissioner Larry S. Landis
Commissioner John D. Blake

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